

### **REMARKS**

Claims 1-20 are pending in the application. Claims 1, 13, 14 and 20 are independent. Claims 1, 13 and 14 amended hereby. Claim 3 and the title of the application have also been amended. New claim 20 has been added.

#### **Objections to the Specification**

The specification is objected to because the title is allegedly not descriptive. The title has been amended to attend to the objection, and withdrawal of the objection is requested.

#### **Objections to the Claims**

In the Office Action, claim 12 is objected to because of certain informalities.

By way of this Amendment, claim 12 has been amended to attend to the objection to that claim due to the certain informalities. Accordingly, withdrawal of the objection is requested.

#### **Rejections Under 35 U.S.C. § 112, Second Paragraph**

In the Office Action, claims 1-4 and 6-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite

By way of this Amendment, claims 1 and 3 have been amended to attend to the rejections under Section 112, second paragraph. Accordingly, withdrawal of the rejections to claim 1 (and claims 2, 4 and 6-12 depending therefrom) and claim 3 under 35 U.S.C. § 112, second paragraph, is requested.

Rejections Under 35 U.S.C. § 103(a)

In the Office Action, claims 1, 2 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Operational Risk Data Collection Exercise--2002" (Basel) in combination with U.S. Patent No. 6,148,297 (Swor).

Additional rejections to the claims under 35 U.S.C. 103(a) have been set forth based upon the following combinations of references: Claims 3 and 6-9 are rejected over a combination of Basel, Swor and "Categorizing Risks for Risk Ranking" (Morgan); Claims 4 and 5 are rejected over a combination of Basel, Swor and "Corrective and Preventive Action" (Motschman); Claims 14-16 are rejected over a combination of Swor and "How to Play Twenty Questions with nature and Win" (Richards); Claim 17 is rejected over a combination of Swor, Richards and Motschman; Claim 18 is rejected over a combination of Swor, Richards and Morgan; and Claim 19 is rejected over a combination of Swor, Richards and Basel.

"To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." MPEP § 706.02(j).

Applicant submits that amended claim 1 of the present application is patentable over Basel, either taken alone, or in combination with Swor, at least because claim 1 recites "providing a predetermined number of predetermined questions to solicit answers that define attributes of the risk event." (Emphasis added). As described in the Specification of the present application at, for example, Figure 5 and page 7, line 23, the claimed invention, via an interface, provides a predetermined or preset number of predetermined questions. After the responses to

the predetermined answers have been received, a risk event is then typed into a category.

In stark contrast, Basel describes a flowchart with various question (decision) boxes. (See e.g., Basel at page 6). In stepping through the Basel flowchart, what subsequent question is asked is not determined or known until the answer to a previous question is received. Such a process is relatively complex as what questions will be asked, and how many, is not known until the question and answer process is completed.

Thus, Basel, either alone, or in combination with Swor, does not teach, suggest or make obvious at least the feature of "providing a predetermined number of predetermined questions to solicit answers that define attributes of the risk event," as recited by amended claim 1 of the present application.

Swor does not cure the deficiencies of Basel. Swor describes a computerized system for gathering health care information. (See Swor at Abstract). Swor, either alone, or in combination with Basel, does not, however, teach, suggest or make obvious "providing a predetermined number of predetermined questions to solicit answers that define attributes of the risk event," as recited by amended claim 1 of the present application.

Accordingly, applicants submit that claim 1 is patentable over the combination Basel and Swor.

Amended independent claim 13, while differing in form and scope from claim 1, recites features similar to those discussed above with respect to the patentability of claim 1. Accordingly, applicants submit that claim 13 is patentable over the combination Basel and Swor.

Claims 2, 11 and 12 depend from claim 1, and are therefore not obvious in view of any Basel-Swor combination at least the reasons discussed above with respect to the

patentability of claim 1.

Claims 3 and 6-9 depend from claim 1, and are therefore not obvious in view of any Basel-Swor combination at least the reasons discussed above with respect to the patentability of claim 1. Morgan does not cure the deficiencies of Basel and Swor. Morgan, either taken alone, or with the other references, does not teach, suggest or make obvious at least "providing a predetermined number of predetermined questions to solicit answers that define attributes of the risk event," as recited by amended claim 1 of the present application.

Claims 4 and 5 depend from claim 1, and are therefore not obvious in view of any Basel-Swor combination at least the reasons discussed above with respect to the patentability of claim 1. Motschman does not cure the deficiencies of Basel and Swor. Motschman, either taken alone, or with the other references, does not teach, suggest or make obvious at least "providing a predetermined number of predetermined questions to solicit answers that define attributes of the risk event," as recited by amended claim 1 of the present application.

Amended independent claim 14, while differing in form and scope from claim 1, recites features similar to those discussed above with respect to the patentability of claim 1. Accordingly, applicants submit that claim 14 is patentable over Swor (either alone, or in combination with Basel). Richards does not cure the deficiencies of Swor (and/or Basel). Richards, either taken alone, or with the other references, does not teach, suggest or make obvious at least "a user interface for posing a predetermined number of predetermined questions regarding an event to an event reporter," as recited by amended claim 14 of the present application.

Claims 15 and 16 ultimately depend from claim 14, and are therefore not obvious in view of Swor (and/or Basel) at least the reasons discussed above with respect to the

patentability of claim 14. As described above, Richards does not cure the deficiencies of Basel and Swor.

Claim 17 ultimately depends from claim 14, and is therefore not obvious in view of Swor (and/or Basel) at least the reasons discussed above with respect to the patentability of claim 14. As described above, neither Richards nor Motschman cure the deficiencies of Swor (and/or Basel). Richards and Motschman, either taken alone, or with the other references, do not teach, suggest or make obvious at least "a user interface for posing a predetermined number of predetermined questions regarding an event to an event reporter," as recited by amended claim 14 of the present application.

Claim 18 ultimately depends from claim 14, and is therefore not obvious in view of Swor (and/or Basel) at least the reasons discussed above with respect to the patentability of claim 14. As described above, neither Richards nor Morgan cure the deficiencies of Swor (and/or Basel). Richards and Morgan, either taken alone, or with the other references, does not teach, suggest or make obvious at least "a user interface for posing a predetermined number of predetermined questions regarding an event to an event reporter," as recited by amended claim 14 of the present application.

Claim 19 ultimately depends from claim 14, and is therefore not obvious in view of Swor at least the reasons discussed above with respect to the patentability of claim 14. As described above, neither Richards nor Basel cure the deficiencies of Swor.

New claim 20 has been added. Applicants submit that claim 20 is patentable over all of the cited references, at least for the same reasons discussed above with respect to the patentability of claim 1.

Accordingly, applicants respectfully submit that claims 1-20 are in condition for

allowance and request withdrawal of the rejections to those claims under 35 U.S.C. § 103(a).

In view of the foregoing, it is respectfully submitted that the currently-pending claims are in condition for allowance and favorable consideration is earnestly solicited.

Respectfully submitted,

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